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Attorney for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

DAVID PHILLIPS, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

FITBIT, INC., JAMES PARK, STEVEN J.
MURRAY, ERIC N. FRIEDMAN,
CHRISTOPHER B. PAISLEY, GLENDA
J. FLANAGAN, LAURA J. ALBER,
BRADLEY M. FLUEGEL and
MATTHEW BROMBERG,

Defendants.

Case No.: 4:19-cv-08046-HSG

**NOTICE OF VOLUNTARY
DISMISSAL**

1 In accordance with Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff David Phillips
2 (“Plaintiff”), by counsel, hereby gives notice that he is dismissing all claims in the above-
3 referenced matter, with prejudice to Plaintiff and without prejudice as to all others similarly
4 situated. Because this notice of dismissal is being filed with the Court before service by defendants
5 of either an answer or a motion for summary judgment, Plaintiff’s dismissal of the Action is
6 effective upon the filing of this notice.

7 DATED: February 25, 2020

Respectfully submitted,

8 **FARUQI & FARUQI, LLP**

9 */s/ Benjamin Heikali*

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16 *Counsel for Plaintiff*